

REMARKS/ARGUMENTS

This paper is submitted in response to the office action mailed September 22, 2004. In the office action claims 1-7, 9, 13-16, 18-24, and 26-35 were rejected under 35 U.S.C. §102(b) as being anticipated by Burnard, et al. (United States Patent No. 5,320,379). Claims 8 and 25 were rejected under 35 U.S.C. §103(a) as being obvious over Burnard in view of Morita (United States Patent No. 5,195,774).

“A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” M.P.E.P. § 2131 (Aug. 2001) (*quoting Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987)). “The identical invention must be shown in as complete detail as is contained in the . . . claim.” *Id.* (*quoting Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989)). In addition, “the reference must be enabling and describe the applicant’s claimed invention sufficiently to have placed it in possession of a person of ordinary skill in the field of the invention.” *In re Paulsen*, 30 F.3d 1475, 1479, 31 USPQ2d 1671, 1673 (Fed. Cir. 1994).

All of the pending claims of the present application include the features of an inflator having a flange and a mounting plate having an integrally formed retention device which secures the inflator to the mounting plate. Claim 1 is exemplary of the pending claims. Claim 1 sets for an airbag module comprising: (1) an inflator having a flange; and (2) a mounting device having (a) a first retention device integrally formed with a (b) mounting plate, (c) wherein the first retention device snaps into engagement with the flange.

Burnard is cited as anticipating the pending claims. However, as set forth above, in order for a reference to anticipate a claim, the reference must show the *identical invention*. In addition, each and every element of the claimed invention must be set forth in a single reference. In this case, Burnard does not satisfy the requirements of an anticipating reference.

Burnard does not have the identical features as claimed. Burnard works and is structured in a fashion significantly different from the claimed invention. While Burnard does include an inflator having a flange, the remaining limitations of claim 1 are lacking in Burnard. Burnard teaches a mounting plate 32, but the mounting plate 32 lacks any integrally formed retention device which is capable of snapping into engagement with the flange, as required by claim 1. The mounting plate 32 of Burnard is illustrated as a generally circular plate having a central circular aperture 34, the aperture having notches 36. The plate lacks any integrally formed retention device which snaps into engagement with the flange, as required by claim 1.

Furthermore, Burnard teaches a retaining ring 20, which is distinct and separate from the mounting plate 32. The retaining ring 20 includes integrally mounted spring fingers 18. However, unlike the claimed invention, the spring fingers 18 snap into engagement with the notches of the mounting plate, not the flange of the inflator as required by the pending claims. *See*, Burnard, Col. 2, lines 57-60.

In the present invention, the retention device, which is integral with the mounting plate, snaps onto the flange of the inflator. In the case of Burnard, the mounting ring is crimped onto the flange of the inflator. Then, the spring fasteners snap into engagement with the notches of the mounting plate, not the flange of the inflator.

Burnard describes this operation as follows:

Assembly of the inflator mounting system of the invention is initiated by first crimping a flange 38 on the retainer ring 20 about the flange 14 of the inflator 10 with the spring fingers 18 of the retainer ring 20 extending through the apertures 16 of the flange 14. Thereafter, the inflator/retaining ring assembly is inserted through a central aperture 40 in the airbag 30. It is to be noted that the aperture 40 has a plurality of cut out portions 42 complementary to the notches 36 in the mounting plate 32 for a reason to be discussed.

The assembled inflator 10 and airbag 30 are positioned relative to the mounting plate 32 so that the spring fingers 18 of the retainer ring 20 snap into the complementary apertures 36 in the mounting plate 32.

Burnard, Col. 2, lines 47-60.

One significant difference between Burnard and the claimed invention is that Burnard requires more parts and more steps in assembly. The present invention only requires two parts, namely an inflator having a flange and the mounting plate having the integral retention device(s). Burnard on the other hand requires three parts, including a retaining ring 20, an inflator 10 having a flange 14, and a mounting plate 32. This is in addition to the airbag structure 30 which is positioned between the inflator 10 and the mounting plate 32.

In order to assemble the present invention it is only necessary to snap the inflator onto the mounting plate. *See*, for example, specification, page 11, lines 11-22. With Burnard, conversely, it is first necessary to place the flange of the inflator on the retaining ring 20 and then *crimp* the flange 38 of the retaining ring 20 onto the flange of the inflator. *See above*. The spring fingers 18 are then positioned such that they extend through the apertures 16 of the inflator 10 and through the cut out portions 42 of the air bag central aperture. Finally the spring fingers are snapped into the apertures of the mounting plate 32. Clearly this process is more complex, labor intensive, and expensive than simply snapping the inflator onto the mounting plate as set forth in the present application and claimed in the pending claims.

For these reasons, Burnard clearly does not anticipate claims 1-7, 9, 13-16, 18-24, and 26-35, and Applicants respectfully request that this rejection be withdrawn.

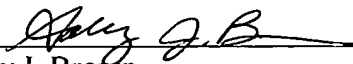
The Examiner has also rejected claims 8 and 25 as being obvious in view of Burnard in combination with Morita. Morita is cited as teaching a one or more mounting holes to facilitate installation of the device in a vehicle. However, as mentioned above, all of the pending claims are clearly distinguishable from Burnard for the reasons set forth in detail above. The present invention would not have been obvious in view of Burnard and Morita for the reasons set forth above, specifically that the structure claimed provides a significantly different and improved result.

Accordingly, Applicants respectfully request that a timely Notice of Allowance be issued in this case. If there are any remaining issues preventing allowance of the pending

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claims that may be clarified by telephone, the Examiner is requested to call the undersigned.

Respectfully submitted,



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